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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,037	05/23/2000	Roy Lou	5244-0128-2	4372

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EXAMINER

BRINICH, STEPHEN M

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/576,037	Applicant(s) LOU, ROY	
	Examiner Stephen M. Brinich	Art Unit 2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-45 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1-6 & 8-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Chiarabini et al.

Chiarabini et al discloses (Figures 6-9 & 13; column 6, line 50 - column 7, line 17; column 9, lines 49-64; column 11, lines 13-18) a print control system in which a print dialog box is displayed (Figure 6) with options for displaying and modifying print settings, including an indication of a paper selection, and then confirming and activating (the "OK" button) the print job. A printing information dialog box including an indication of a paper selection is displayed after confirming the print job (either the error display of Figure 8 or the preview display of Figure 9 or Figure 13). In the case of the Figure 13 preview display, this box displays a modifiable synopsis (a zoomable preview) used to direct the print job to an output file until the job has been finished.

Re claim 2, the print dialog box includes page scale size.

Re claim 3 & 27, the print dialog box includes a "cancel" button to cancel the print job.

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Re claims 4-6, 13-15, 18-24, 25-28, 34-36, & 39-45, the printing information dialog box has "OK" and "cancel" buttons to respectively enable and activate (either for a first time or for an additional instance) and cancel the print job.

Re claim 12, 16, 19, 33, 37, & 40, the printing information dialog box enables the editable selection of a paper type, which is readable upon the (not further described) "print selection device".

Re claim 17-24 & 38-45, the "resubmission" of a print job by repeating the steps of submitting the original print job again follows the described steps (displaying the print dialog box again, selecting settings in the new print dialog box, confirming the settings by selecting the "OK" button in the print dialog box, displaying the printing information dialog box again, selecting the output file in the printing information dialog box, and activating the print job by selecting the "OK" button in the printing information dialog box).

Allowable Subject Matter

3. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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4. The following is a statement of reasons for the indication of allowable subject matter:

Re claim 7, the art of record does not teach or suggest the display of the listed settings (including all of printer name, printer ports, timeout settings, color management, output printer settings, banner settings, paper selection, document size, print size, paper type, printer tray, print resolution, edge smoothing flags, toner savings flag, graphics configuration, accessories, statistics, and watermark properties) in a printing information dialog box that is displayed after print settings have already been entered and confirmed in an initial print dialog box.

Response to Arguments

5. Applicant's arguments filed 4/18/05 have been fully considered but they are not persuasive.

Applicant argues (4/18/05 Response: page 12, line 12 - page 15, line 6, particularly page 12, lines 12-21) that the amended recitation of a print dialog box displayed upon confirmation of a print job and prior to the activation of the print job eliminates the recitation of the claim language which was previously relied upon to read the claims on the Chiarabini et al reference.

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However, it is unclear how the description of a print dialog box as being displayed "prior to the activation of the print job" differs from the previous recitation "prior to the issuance of the print job". Either the "activation" of the print job or the "initiation" of the print job is readable upon the time at which a printer is actually instructed to begin a print run (i.e. subsequent to the display of the print dialog box in the Chiarabini et al reference, which as Applicant notes at page 13, line 8 is part of the "print setup procedure").

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ouchi (Abstract, Figure 3), Koppolu et al (Abstract), and Yu (Figure 7A-7E) disclose further examples of confirmation and initiation of print jobs with given parameters.


7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 703-308-4357.

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If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 703-872-9306.


Stephen M Brinich
Examiner
Art Unit 2624

smb

June 7, 2005